PRESERVED

LAW

App. F. IX-4]

Previous References.

1941.
(Legis)

Legis File No. 3-41-
Serial Nos. 1

Later References.

35

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for July 1941

SUBJECT.

The Registration of Foreigners (Amendment) Act, 1941

WD 03999—GPB—500—11-9-41

To the compiler Mysore Gazette
No RL 278 - Legis 3-41-1 dated
30-7-41
Directs the publication of the Act
in the Gazette

J. Venkatanarayana
28-5-42

1209
P

Nationality of woman born of foreign parents in Mysore marrying a foreigner.

eneral and Revenue Secretariat | File No. | of 194 | [App. F. III-2

Serial No.

OFFICE OF THE ... OF COUNCIL
SEP 17 1940
2673

From

The Inspector General of Police

No. C.81/40-41 dated 12th September 1940

enquiring whether a woman born in Mysore of foreign parents would continue to be exempt from the provisions of the Registration of Foreigners Act after marriage to a foreigner.

1) The Residency recently intimated that the Crown Representative had given a ruling that a person born in Mysore to foreign parents should be deemed a Mysore State subject and that such a person was not therefore a foreigner within the meaning of the Registration of Foreigners' Act. This ruling was communicated to the I.G. of Police.

2) The I.G. now wants to know whether such a person, if a woman, would continue to be exempt from the provisions of the Act even after marriage with a foreigner.

3) It is submitted that two independent and entirely different principles are involved in the question propounded.

4) Under the ruling of the Crown Representative such a woman would not be a foreigner but a Mysore State subject. But on marriage quite a different principle comes into operation. The wife takes on the nationality of the husband and as he is a foreigner in the question put by the I.G.Police, she woman would have to be deemed a foreigner, and will not be exempt under the ruling of the Crown Representative.

Submitted for orders.

Done 14.9.40

5) The Residency may be consulted on the point.

Law Secy) I Member) 7) 8)

NOTE—Contn. Sheet.

Nationality of women born of foreign parents on marriage after 1709
marrying a foreigner

File No. of 194 | General and Revenue Secretariat

Serial No.

8) A draft to the Residency is put up

30/9/40 9) Please put up a self-contained letter to the Residency

MRV 30/9

10) A draft letter as instructed above is put up

3/10/40 11) For approval

MRV 4/10

Law Secy)

2661/5/40.

12) Hm 8/10/40

MRV 8/10

✓

Signed PA 508 dt 17.10.40 by the Residency

Sec A:

From

The Secretary to the Govt of the Resident

7-62-39 (14) dt. 31st October 1940

states that a woman married to a foreigner is a foreigner

13) The Residency state that in British India, on account of the Imperial Act, British Nationality and Status of Aliens Act, 1914, a woman ~~am~~ married to a foreigner will be a foreigner. But in Mysore, they suggest that the Registration of Foreigners Act, 1939, may be amended to clear this point ~~y~~ by adding a proviso to that effect under section 2 of the Act.

14) If approved, a reply will be sent to the I.G. of Police that women married to foreigners would be foreigners and that this ~~finding~~ ruling may be conveyed to all the D.S.P'S who are empowered by him under the Act.

15) The question of amending the Act of 1939 is for

Serial No.

orders. Though the wife takes on the nationality of a husband on marriage, under International law which would apply to Mysore also, yet the specific terms of section 2 wherein "foreigner" has been defined would be to make this rule of international law ~~x~~ inapplicable. It is for orders if a Bill may be drafted on the lines suggested by the Residency and placed beforethe R.A. and L.C. in the usual course. With the I.G. of Police and ~~his~~ the D.S.P's informed ofthe ruling, there may not be any urgency requiring emergent legislation.

Submitted for orders.

Sow 1.11.40. 16) The position may be clarified by legislation. A ~~draft~~ bill may be framed and placed before the R.A at its next session

MAW 5/11

Law Secy) 17) May be done

I Member) Hm 2 6/11/40

18) Rlw 7/11/40

Hm 2 7/11/40

19) A draft letter to the I.G. of Police is put up for orders

Sow 6.11.40. 20) For approval

MAW 8/11

Law Secy) 21) Hm 2 8/11/40

3194 8/11

Issued P 2360 d 8.11.40 to the I.G. of Police. MAW 8/11

NOTE—Contn. Sheet.

3854 p V 674 V 1709 6330 p 1940

Nationality of person born in the Mysore State to foreign parents

File No. of 194 | General and Revenue Secretariat

Serial No.

From

The Secretary to the Hon'ble the Resident

CR 62-39 (14) dated 23 December 1940

requiring how the matter stands at present

The question of the naturalising a woman who after her marriage was canvassed by the Inspector General of Police and the Residency who were consulted suggested an amendment of the Registration of Foreigners Act to clarify the position

As stated at paras 16-18 Supra, an amendment will be undertaken and placed before the RA at its next session.

A draft upg to the Residency on the above lines is put up. Subs for aber.

Draft may be approved

6/1

Law Secy

7/1/41

7/1

Forwarded Pol 989 dated 8-1-41 to the Residency

Reference is invited to paras 15 & 18 above. A draft Bill amending the Registration of Foreigners Act, 1940 and a statement of general principles are put up of approval the Bill will be placed before the RA and LC at the ensuing Sessions.

BKR 5.5.41

Law Secy

I Member)

6/5/1941

9/5/41 BKR 6.5.41

9/5/41 BKR 5.5.41

OFFICE OF THE FIRST MEMBER OF COUNCIL
MAY 7 1941
No. 1141

76 9.5 5/5

Registration Forgeries (amendment) Bill. 6330 P

General and Revenue Secretariat	File No.	of 194 .	[App. F. III-2

Serial No.

This is a Council matter and may be disposed of by circulation.

Dewan)

Hm 2 9/5/41.

BKR 9.5.41

MS 9-5-41

for circulation

Chief Secy) MC.

Hm 2 10/5/41.

CHIEF SECRETARY 10 MAY 1941 GOVT OF MYSORE

Submitted with a circulation memo

BR 12/5/41

MS 13/5

NOTE—Contn. Sheet.

6377

For Disposal by Circulation. **No. C. 631 of 1940-41.**

193

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

The Registration of Foreigners (Amendment) Bill.

Circulated to the Members of Council.

By Order,

M. Venkatesabyengar
Dep. Secy.
to Chief Secretary to Government.

12th May 1941.

First Member of Council. (Seen)

11539/13.5.41 **Second Member of Council.** Kll 13.5

Law Secretary with Compliments
Hm
14/5/41

A.D.J.N. is submitted.
Sd 16.5.41. For approval
BKR 16.5.41

Hm 2 15/5/41.
BKR 15.5.41

S.116 17/5
Law Secy)
I Member)
D.J.N. submitted
11983 19/5/41 Signed J.N. Kept in file. Hm 2 18/5/41.
Ckl
BKR 19.5.41

Dewan)
Hm 22/5
Hm 2 22/5/41
BKR 22.5.41

Final Note by the First Member of Council.

Subject.—

The Registration of Foreigners (amendment) Bill.

The question was raised some time ago by the Inspector General of Police in Mysore whether a woman born of foreign parents in the Mysore State who marries a foreigner should be treated as a foreigner under the Registration of Foreigners Act, 1940. The Residency who were consulted in the matter have suggested that the Act may be amended to indicate that a woman who marries a foreigner should be deemed to be one herself.

A draft bill amending the Act in this respect has been prepared and it is proposed to place it before the Representative Assembly and introduce it thereafter in the Legislative Council.

The Dewan and the Second Member of Council are agreeable to such amendment. I solicit the gracious approval of His Highness to the above proposal.

N M Shamu Rao

MEMBER OF COUNCIL.

Camp Mysore,
21st May 1941.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Registration of Foreigners (Amendment) Bill.

Chief Secy
JM
29-5-41

Order.

VRN
26/5/'41.

No. 795

MS
30/5/41

C 631

SUBJECT:—

Registration of Foreigners (Amendm
Bill

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/~~after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

Law Department. 30/5/41

12485
30/5

FIRST MEMBER OF COUNCIL.

30/5/41

12402
30.5.41

SECOND MEMBER OF COUNCIL.

Law Secy. with Compliments

31/5/41

NOTE.—Contn. sheet

WD 02010—GPB—250—19-3-41

31/5/41

30.5.41

6330
F.

Registration of foreigners (amendment) Bill

Serial No.

To be submitted for orders as to who will be in charge of the Bill in the H.A.

BKR 2.6.41

2/6/41

Law Secy)

Law Secy will be in charge of the Bill

Hm 2/6/41

8594/2/6

DIWAN'S OFFICE
8 JUN 1941
8411

Under rule 36 of the Mysore Legislative Rules, the Dewan may order the publication of the Bill even though no motion for leave to introduce the Bill has been made and in such a case no motion need be made for leave to introduce it.

Submitted for order if the Bill may be published under this rule

May be done
BKR 6.6.41

In such a case, the following motions are suggested for inclusion in the list of business of the L.C. at its ensuing session

1. Motion that the Bill published under rule 36 of the Mysore Legislative Rules be taken into Consideration by the Council at once.

Mover — Minister for Law.
Seconder — Law Secretary to Govt.

2. Motion that the Bill be passed.

Mover — Minister for Law
Seconder — Law Secretary to Govt.

The Bill is a very short one and may not require scrutiny by a Select Committee

Submitted for order.

6/6/41

BKR 6.6.41

Law Secy)

Minister) Law / Dewan)

7-6-41

Hm 7/6/41

Hm 8/6/41

Hm 8/6/41

SECY. LAW DEPT. 6741 7 JUNE 1941 GOVT OF MYSORE

NOTE—Contn. Sheet.

12644
7/6/41

Registration of Foreigners (Amendment) Bill

6330
P.

File No. 102 of 194 | General and Reven Secretariat

Serial No.

The general principle of the Bill was placed before the Representative Assembly during its Budget Session last month and was approved by that House.

The Bill was taken into Consideration by the Legislative Council last month and passed it at one sitting.

~~[illegible]~~

Under standing orders 44 and 45, a Copy of a Bill passed by the Council has to be submitted to His Highness the Maharaja.

If approved, the file will be sent to the L.C. Office for kindly putting up a copy of the Bill signed by the President.

Yes MKP 7.7.41

8 JULY 1941
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

A Copy of the Bill signed by the President is Placed in the file.

Flag F

A D.F.N. is submitted.

10.7

Law Secy)

351
11/7

D.F.N. submitted

Minister)

Hm 2 11/7/41

Signed F.N. is kept in file

11.7

19/7

OFFICE OF THE MINISTER FOR LAW
JUL 12 1941
No 410

FINAL NOTE BY THE MINISTER FOR LAW.

.----------.

Subject.-

Registration of Foreigners (Amendment) Bill.

C The gracious approval of His Highness was accorded on the 26th May 1941 to place the Registration of Foreigners (Amendment) Bill before the Representative Assembly and to introduce it thereafter in the Legislative Council.

F The general principles of the Bill were placed before the Representative Assembly during its Budget Session last month and were approved by that House. The Bill was taken into consideration by the Legislative Council during its recent session and passed by it at one sitting.

As required by Standing Order 45 of the Legislative Council Standing Orders, a copy of the Bill passed by the Council and signed by the President is submitted for the gracious perusal of His Highness

E I solicit the gracious sanction of His Highness to promulgate the Bill into law.

MINISTER FOR LAW.

Camp Mysore,
12th July 1941.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Law on the subject of the promulgation into law of the Registration of Foreigners (Amendment) Bill, for His Highness's gracious sanction.

N. Madhava Rau

Mysore,
12th July 1941.

D E W A N.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation into law of the Registration of Foreigners (Amendment) Bill.

Order.

16/7/'41.

no. 37

18.7.41

General and Revenue

Secretariat.

C 52/41

SUBJECT:—

Promulgation into law of the Registration of Foreigners (Amendment) Bill.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

34. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

.....L..a..W.....Department. 21/7/41.

428 21.7.41 Minister for Finance and Revenue. 21.7.41

652 21.7.41 Minister for Law. 21/7.

479 22.7.41 Minister for Education. 23.7.41

426 23-7-41 Minister for Local Self-Govt. and Public Health. 23.7.41

Law Secy. with compliments.

NOTE.—Contn. sheet

WD 02878—GPB—300—26-6-41

24/7/41

25/7/41

6350 pt 1/0

Registration of Foreigners (amendment) Act, 1941

General and Revenue Secretariat R. A. & L. C. | Dipt. | File No. 9 | of 1941. | [App. F. III-2

102

Serial No.	
	The previous assent of His Highness was accorded on the 16th of July 1941 to promulgate the Bill with law. A draft G.O. directing publication of the Act as Act XIII of 1941 is put up for approval.
	(Secy Revenue) May be approved JKW 26/7
	(Law Secy)
	Hon 2 28/7/41. Secure JKW 28/7
	Hon. Reqn. date Please note date of Hon. send Hon. me GOs. 27/7
	If approved this file may be recorded 28. 18-5-42 JKW 18/5
	A Rec
	28. 18-5-42

NOTE—Contn. Sheet.

WD 08080—GPB—1/0

1709 pdw

Tele {gram: POLICE
phone: 2108

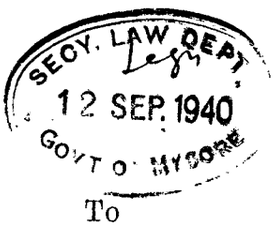
POLICE DEPARTMENT.

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE,

No. F. C. 81/40-41

Bangalore, dated.....September 12, 1940.

FROM



E. G. B. PEEL, Esq., C.I.E.,
Inspector-General of Police in Mysore,
Bangalore.

To

The Secretary to the Government of His Highness
The Maharaja of Mysore,
LAW DEPARTMENT, Bangalore.

SIR,

With referace to your letter No. P.1406-29/Legis. dated 31st Aug./3rd Septr.,. 1940, I have the honour to enquire whether a woman born of foreign parents in the Mysore State, who subsequently marries a foreigner subject to the Registration of Foreigners Act of 1939, continues to be exempt, even after marriage, from the provisions of the Registration of Foreigners Act?

I have the honour to be,
Sir,
Your most obedient servant,

INSPECTOR-GENERAL OF POLICE.

Pol. 508 Dt 17-10-40.

To

The Secretary to the Hon'ble the Resident.

Subject:-

Nationality of persons born in the Mysore State to foreign parents.

Sir,

I am directed to invite reference to your letter No. C.F. 62-39 (14), dated 14th August 1940 on the above subject, and to enquire whether a woman born of foreign parents in the Mysore State who subsequently marries a foreigner subject to the Registration of Foreigners Act, 1939, continues to be exempt even after marriage from the provision of that Act.

I have etc.,

8/10/40

Secretary to Govt.
Law Department.

5/10

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

Dated Bangalore, 17 October 1940.

No. Pol. 508/P

FROM

The *Secretary to the Government of His Highness the Maharaja of Mysore.*
Law Department.

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Subject:- Nationality of persons born in the Mysore State to Foreign parents.

Sir,

I am directed to invite reference to your letter No. C.F. 62-39(14), dated 14th August 1940, on the above subject, and to enquire whether a woman born of foreign parents in the Mysore State who subsequently marries a foreigner subject to the Registration of Foreigners Act, 1939, continues to be exempt even after marriage from the provision of that Act.

I have the honor to be,
Sir,
Your most obedient servant,

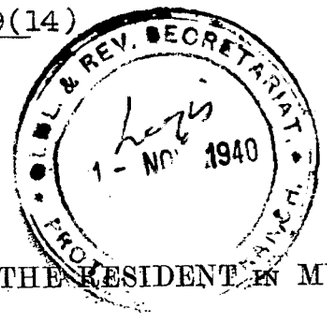
16-10

for Secretary to Government,
Law Department.

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

2674/40
P

No. F.62-39(14)



FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department,
Bangalore.

Dated Bangalore, the 31st October *1940*.

Nationality of persons born in the Mysore State to foreign parents.

SIR,

I am directed to refer to your letter No.Pol.508/P, dated the 17th October 1940, and to say that presumably this question has arisen in connection with the Mysore Act No.IX of 1939 (Registration of Foreigners (Emergency) Act 1939), which is the Mysore counterpart of the British Indian Act XVI of 1939. Under the latter there is no doubt that a woman of British or British Indian nationality married to a foreigner is a foreigner in view of the existence in British India of the British Nationality and Status of Aliens Act 1914 (4 & 5 Geo 5, c17) whereby it is clearly defined that " a wife of a British subject shall be deemed to be a British subject and the wife of an alien shall be deemed to be an alien". Since it is understood that there is no similar provision in Mysore State law it seems advisable to clear the position by amendment of Act IX of 1939. This might be done by the addition of a proviso at the end of section 2 of that act to the effect that a woman married to a foreigner shall always be deemed to be a foreigner. This would cover the query raised by you in your letter under reply as well as the cases of other non-foreigners mentioned in section 2(ii) to (iv) who are married to foreigners.

I have the honour to be,
Sir,
Your most obedient servant,

Macaan.

SECRETARY TO THE RESIDENT.

Draft) No. P2360 dt 8.11.40

The I.G.of Police.

Sir,

with reference to your letter No. F.C.81/40-41 dated 12th September 1940 regarding the nationality of a woman born of foreign parents in Mysore who subsequently marries a foreigner, I am directed to state that a woman married to a foreign shall always be deemed to be a foreigner.

An amendment of the definition of "foreigner" in the Registration of Foreigners Act,1940 will be made in due course to clarify this position, but,in the meantime I am to request that instructions may be kindly given to the Superintendents of Police to keep this direction in view when revising registrations or making fresh registrations.

I have etc.,

8/11/40

Secretary to Governmen
Law Department.

7/11

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 8th November 1940.

No. P2360.

From

The ~~Chief~~ Secretary to the Government of His Highness the Maharaja of Mysore.
Law Department.

To

The Inspector General of Police in Mysore,
Bangalore.

Sir,

With reference to your letter No. F.C. 81/40-41, dated 12th September 1940 regarding the nationality of a woman born of foreign parents in Mysore who subsequently marries a foreigner, I am directed to state that a woman married to a foreigner shall always be deemed to be a foreigner.

An amendment of the definition of "foreigner" in the Registration of Foreigners Act, 1940 will be made in due course to clarify this position, but, in the meantime, I am to request that instructions may be kindly ~~be~~ given to the Superintendents of Police to keep this direction in view when revising registrations or making fresh registrations.

I have the honor to be,
Sir,
Your most obedient servant,

8/11

For Secretary to Government,
Law Department.

G. R. S. XI—12

Form of the Monthly Arrears Statement.

3711/46 P Law

Explanation.—Column 1 shows the Serial No. maintained for the purpose of this statement.
Column 2 shows the Official No. and date of the reference of the Officer submitting the cases to Government.
The entries in Column 6 should be made neatly in pencil and altered from month to month.
In Column 7 should be given explanations of any long delay.
Cases when disposed of should be scored across neatly in red ink.
This statement should be continued from month to month being brought up-to-date each month.
Every three months, the statement should be faired, all cases disposed of being omitted, and new Serial Nos. entered.

WD 0575—GPB—7,500—13-4-39

Serial No.	Official No. and date	From whom received	Date of receipt in Secretariat	Subject	Where pending	Remarks
1	2	3	4	5	6	7
	5·39 12/12	Legal Remembrancer	17/12	Prosecution of Accused [illegible]	Dy 21/12 Asst. Supt Dom	[illegible]

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 8 4 January 1941.

No. Pol. 989

From

The Chief Secretary to the Government of His Highness
the Maharaja of Mysore.
Law Department.

To

The Secretary to the Hon'ble the Resident in Mysore.

Sir,

Subject:- Nationality of persons born in the Mysore State to foreign parents.

With reference to your letter No. CF. 62-39(14), dated 23rd December 1940 on the above subject, I am directed to state that legislation to amend the Registration of Foreigners Act, 1939 is being undertaken and will be placed before the Representative Assembly and Legislative Council in due course.

I have the honor to be,
Sir,
Your most obedient servant,

h

For Secretary to Government,
Law Department.

Pol. 989 ಸ 87/1/41

To

The Secretary to the Hon'ble the
Resident in Mysore.

Subject:-Nationality of persons born
in the Mysore State to foreign
parents.

Sir,

With reference to your letter No. CF.62-39(14), dated 23rd December 1940 on the above subject, I am directed to state that legislation to amend the Registration of Foreigners Act, 1939 is being undertaken and will be placed before the Representative Assembly and Legislative Council in due course.

I have etc.,

7/11/41.

Secy. to Govt.
Law Dept.
6/11/41

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

O R D E R No.R.L 278 Legis 3-41-1
anel ant

Dated, Bangalore, the 30th July 1941.

Ordered that the accompanying Act to amend the Registration of Foreigners Act, 1940, which received the assent of His Highness the Maharaja on the 16th day of July 1941, be published as Act No. XIII of 1941, in the Mysore Gazette for general information.

Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies as per Standing Orders.

TN-3)

Act no XIII of 1941

1. The Registration of Foreigners (amendment) ~~Bill~~ Act, 1941

(Received the assent of His Highness on the 16th day of July 1941)

WHEREAS it is expedient to amend the Registration of Foreigners Act, 1940, for the purpose hereinafter appearing;

It is hereby enacted as follows :—

1. This Act may be called the Registration of Foreigners (amendment) Act, 194 /. Short title.

2. In section 2 of the Registration of Foreigners Act, 1940, the following explanation shall be added at the end of clause (a), namely;— Amendment of section 2, Act V of 1940.

"*Explanation.*—A woman who is married to a foreigner shall, for the purposes of this Act, be deemed to be a foreigner."

(Sd) N. Madhava Rau
Dewan

Statement of Objects and Reasons of the Registration of Foreigners (amendment) Bill.

The definition of "foreigner" in section 2 of the Registration of Foreigners Act, 1940, does not indicate the nationality, after marriage, of a woman who was not a foreigner but is married to one. According to well-known principles of international law as well as under the British Nationality and Status of Aliens Act, a woman takes, after marriage, the nationality of the husband.

In order to clear doubts that might arise under the Act an explanation is proposed to be added to the definition of "foreigner" that a woman who is married to a foreigner shall be deemed to be a foreigner.

By Order,
H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

Printed by the Superintendent at the Government Press, Bangalore.

G. R. S. VI.—s-III/14]

DRAFT.

SUBJECT.....

.....

.....

Section. Legis
File No. 67 — ~~40~~
Serial No. 3 — 41
1

Proceedings of the Government of H. H. the Maharaja of Mysore.

Diary No. of letter replied to.....

Order No. RL 278/Encl one

GENERAL AND REVENUE SECRETARIAT,

( )

, the.....*191* .

Ordered that the accompanying Act to amend the Registration of Foreigners Act 1940

which received the assent of His Highness the Maharaja, on the 16th day of July 1941 be published as ~~Regulation~~ Act No. XIII of 1941, in the *Mysore Gazette* for general information.

Date of issue 30.7.41

Signed by Mr H.V. Narayana Rao

H.V. Narayana Rao
Secretary to Government.
For Law Secy

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

30/7

To

The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of .....spare copies in English, and .....spare copies in Kannada to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

Spare copies as per Standing Orders.

Copy to Translation Section

1. The Registration of Foreigners (amendment) Bill.

WHEREAS it is expedient to amend the Registration of Foreigners Act, 1940, for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1. This Act may be called the Registration of Foreigners (amendment) Act, 194 . Short title.

2. In section 2 of the Registration of Foreigners Act, 1940, the following explanation shall be added at the end of clause (a), namely ;— Amendment of section 2, Act V of 1940.

" *Explanation.*—A woman who is married to a foreigner shall, for the purposes of this Act, be deemed to be a foreigner."

Statement of Objects and Reasons of the Registration of Foreigners (amendment) Bill.

The definition of "foreigner" in section 2 of the Registration of Foreigners Act, 1940, does not indicate the nationality, after marriage, of a woman who was not a foreigner but is married to one. According to well-known principles of international law as well as under the British Nationality and Status of Aliens Act, a woman takes, after marriage, the nationality of the husband.

In order to clear doubts that might arise under the Act an explanation is proposed to be added to the definition of " foreigner " that a woman who is married to a foreigner shall be deemed to be a foreigner.

By Order,

H. V. NARAYANA RAO,

Secretary to Government,

Law Department.

Passed by the Legislative Council

Printed by the Superintendent at the Government Press, Bangalore.

D. H. Chandrasekharaiya

President

Legislative Council

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The Registration of Foreigners (amendment)

B i l l.

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S i r,

I beg to move that the Registration of Foreigners (amendment) Bill, published under rule 36 of the Mysore Legislative Rules be taken into consideration by the Council at once.

In 1939 the Registration of Foreigners Act (Act No.IX of 1939) was passed as an Emergency measure as it was considered desirable to have an up to date list of all foreigners in India. It was found necessary to extend the operation of the law. It was therefore replaced by a permanent Act (Act V of 1940). It is this Act that is now sought to be amended.

In working this Act, the question arose whether a lady who was not by birth a foreigner as defined in the Act had to get herself registered under the Act after her marriage to a foreigner. In British India, she would be required to register herself as clause 17 of the British Nationality and Status of Aliens Act which is in force there ~~which~~ declared that the wife of an alien is to be deemed an alien. But the British - Nationality and Status of Aliens' Act is not in force in Mysore. It is therefore necessary to amend the Registration of Foreigners Act incorporating a similar principle. The present Bill is intended for this purpose. It was placed before the Representative As-

sembly at the recent Session and it met the approval of the Members of the Representative Assembly It is a simple clarifying measure. I hope it will meet with approval in this Chamber also.

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